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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re: the Application of:

STARZL et al.

Serial No.: 10/084,632

Filed: February 25, 2002

Atty. File No.: 4724-2

For: "ENUMERATION METHOD OF
ANALYTE DETECTION"

Commissioner of Patents
Box Missing Parts
Washington, D.C. 20231

SUBMISSION OF MISSING PARTS

"EXPRESS MAIL" MAILING LABEL NUMBER ev068097529us
DATE OF DEPOSIT 6/5/02

I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING
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UNDER 37 CFR 1.10 ON THE DATE INDICATED ABOVE AND
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PATENTS, WASHINGTON, D.C. 20231

TYPED OR PRINTED NAME: KATHLEEN BUSELL
SIGNATURE Kathleen Bussell

Dear Sir:

In response to the Notice to File Missing Parts (copy enclosed) dated April 5, 2002, enclosed are a Declaration and a Power of Attorney. Please note that the Assignment documents have been submitted to the Assignment Branch under separate cover on this same date.

Also in response to the Notice, Applicant submits the enclosed substitute, informal copies of patent application drawing Figs. 1-26. Figs. 1-26 are all of the figures in the application and are believed to be in compliance with 37 CFR § 1.84.

Enclosed is a check for \$543 which includes payment of the small entity filing fee and the surcharge. Please credit any overpayment or debit any underpayment to Deposit Account No. 19-1970.

Respectfully submitted,

SHERIDAN ROSS P.C.

By:

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David F. Zinger
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Date: June 5, 2002



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D. C. 20231
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/084,632	02/25/2002	Timothy W. Starzl	4724-2

22442
SHERIDAN ROSS PC
1560 BROADWAY
SUITE 1200
DENVER, CO 80202

CONFIRMATION NO. 6303

FORMALITIES LETTER



OC00000007800229

Date Mailed: 04/05/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

06/11/2002 ZJUHR1 00000011 10084632

FILED UNDER 37 CFR 1.53(b)

01 FC:201 370.00 OP
02 FC:203 108.00 OP
03 FC:205 65.00 OP

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 370 to complete the basic filing fee for a small entity.
- Total additional claim fee(s) for this application is \$108.
 - \$108 for 12 total claims over 20.
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 543.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);
 - Drawings must be reasonably free from erasures and must be free from alterations, overwritings, interlineations, folds, and copy marks.
 - Numbers, letters, and reference characters must measure at least 0.32 cm (1/8 inch)

in height.

- drawings contain excessive text. Suitable descriptive legends may be used, or may be required by the Examiner where necessary for understanding of the drawing but should contain as few words as possible (see 37 CFR 1.84(o));

The following item(s) appear to have been **omitted** from the application:

- Figure(s) **Fig.13** described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (*i.e.*, the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

A copy of this notice MUST be returned with the reply.

S. B

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE